

Docket No.: 509982005800
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Junwei BAO et al.

Application No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Not Yet Assigned

For: PARAMETRIC OPTIMIZATION OF OPTICAL
METROLOGY MODEL

POWER OF ATTORNEY

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

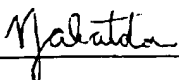
The undersigned hereby appoints the following attorneys and/or agents to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected herewith:

All practitioners at Customer Number 20872.

Address all communications to:

Peter J. Yim
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105
(415) 268-6373

For: TIMBRE TECHNOLOGIES, INC.



Dated: 12/12/03

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Junwei BAO et al.

Application No./Patent No.: Not Yet Assigned

Filed/Issue Date: Herewith

Entitled: **PARAMETRIC OPTIMIZATION OF OPTICAL METROLOGY MODEL**TIMBRE TECHNOLOGIES, INC., a California corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

- [x] Copies of assignments or other documents in the chain of title are attached.

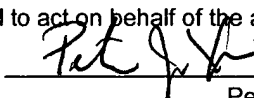
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12/12/03

Date



Peter J. Yim

Attorney of Record (Reg. No. 44,417)

Title

COPY

ASSIGNMENT JOINT

THIS ASSIGNMENT, by Junwei BAO, Vi VUONG, Manuel MADRIAGA and Daniel PRAGER (hereinafter referred to as the assignors), residing at 1190 Beethoven Common, #103, Fremont, California 94538; 5048 Dunsmuir Common, Fremont, California 94555; 4634 Chceney Street, Santa Clara, California 95054; and 89 Shagbark Lane, Hopewell Junction, New York 12533 respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **PARAMETRIC OPTIMIZATION OF OPTICAL METROLOGY MODEL**, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith; bearing Serial No. (To Be Assigned) and filed on herewith; and

WHEREAS, Timbre Technologies, Inc., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 2953 Bunker Lane, Suite 301, Santa Clara, California 95054 (hereinafter referred to as the assignee, Timbre Technologies, Inc.) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

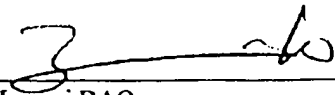
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.


AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

12/12/03
Date


Junwei BAO

12/12/03
Date


Vi VUONG

12/12/03
Date


Manuel MADRIAGA

Date

Daniel PRAGER

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Date

Junwei BAO

Date

Vi VUONG

Date

12/12/03

Date

Manuel MADRIAGA



Daniel PRAGER

DECLARATION FOR UTILITY PATENT APPLICATION

AS BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:

Our residences, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PARAMETRIC OPTIMIZATION OF OPTICAL METROLOGY MODEL**, the specification of which is attached hereto unless the following box is checked:

☐ was filed on as United States Application Serial No. or PCT International Application No. and was amended on (if applicable).

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| Application No. | Country | Date of Filing (day/month/year) | Priority Claimed? |
|-----------------|---------|------------------------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application Serial No. | Filing Date |
|------------------------|-------------|
| | |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|---|
| | | <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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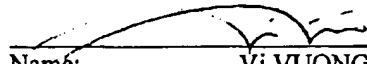
Date



Name: Junwei BAO
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Citizenship: China
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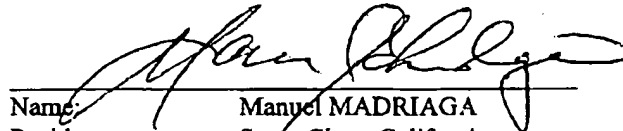
Date



Name: Vi VUONG
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12/12/03

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Name: Manuel MADRIAGA
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Citizenship: United States of America
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Date

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Residence: Hopewell Junction, New York
Citizenship: United States of America
Post Office Address: 89 Shagbark Lane, Hopewell Junction, New York 12533

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| Application Serial No. | Filing Date | Status |
|------------------------|-------------|---|
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Date _____
Name: Junwei BAO
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Date _____
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